

United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

March 28, 2003

The Honorable Tommy Thompson
Secretary of Health and Human Services
200 Independence Ave., SW
Washington, D.C. 20201

Dear Secretary Thompson:

I am writing to comment on the Food and Drug Administration's proposed regulations, which may limit the number of ports of entry for food and feed shipments from Canada into the State of Vermont.

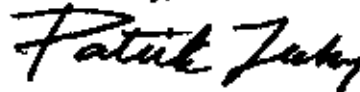
To strengthen the safety of America's food supply pursuant to the Public Health Security and Bioterrorism Preparedness Response Act of 2002 enacted last year by Congress, the Food and Drug Administration has proposed regulations requiring that prior notice be given to FDA before food is imported or offered for import into the United States.

I support these efforts, but I am concerned that the use of pre-assigned entry numbers, as proposed in your rules, may require trucks to clear only at the Vermont Commercial Cargo Centers at Interstate 89 (Highgate), Interstate 91 (Derby Line), or Norton, Vermont.

A constituent of mine, Mr. Travis Forgues, on behalf of a number of dairy farmers, has contacted me because he believes this may prevent him and others from being able to import animal feed from Canada through other border crossings. According to Mr. Forgues, shipping the feed exclusively through these three ports would be cost-prohibitive.

In addition, I am concerned that the blanket removal of all B.R.A.S.S. line release privileges for foods and animal feeds may unnecessarily hinder commercial trade along the Vermont border. I encourage you to consider adopting flexible rules—similar to the approach Customs has taken for non-food items—that take into account such factors as the type of product, mode of transportation, and origin of the product rather than a one-size-fits-all approach.

Sincerely,



PATRICK LEAHY
United States Senator